



Pillsbury  
Winthrop  
Shaw  
Pittman LLP

2300 N Street NW  
Washington, DC 20037-1128

Tel 202.663.8000  
Fax 202.663.8007  
www.pillsburylaw.com

November 16, 2005

**Tony Lin**  
202.663.8000  
tony.lin@pillsburylaw.com

*Via Electronic Filing*

Marlene H. Dortch  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

**Re: EX PARTE SUBMISSION**  
WT Docket 03-66; Amendment of Parts 1, 21, 73, 74, and 101 of the  
Commission's Rules to Facilitate the Provision of Fixed and Mobile  
Broadband Access, Educational and Other Advanced Services in the 2150-  
2162 and 2500-2690 GHz Bands

---

Dear Ms. Dortch:

On November 16, 2005, Bradley Holmes, Chief Operating Officer of NY3G Partnership ("NY3G"), and Bruce Jacobs, counsel for NY3G, met with Fred Campbell, acting legal advisor to Chairman Martin, regarding the above-referenced proceeding. NY3G reiterated its position on the record that a "split-the-football" approach would not provide a viable solution in New York City because of the creation of an "exclusion zone" on both sides of the boundary between co-channel F group licensees, effectively denying service on those channels to over seven million people and hundreds of thousands of businesses located throughout Manhattan and in large portions of Brooklyn and Queens. The parties also discussed the alternative solution of assigning the low-power channels to the MMDS licensee and the high-power channel to the grandfathered ITFS licensee.

Very truly yours,

\_\_\_\_\_  
/s/

Bruce D. Jacobs  
Tony Lin  
*Counsel for NY3G Partnership*

cc: Fred Campbell